

DENNIS J. HERRERA, State Bar #139669
City Attorney
CHERYL ADAMS, State Bar #164194
Chief Trial Deputy
RENÉE E. ROSENBLIT, State Bar #304983
Deputy City Attorney
Fox Plaza
1390 Market Street, Sixth Floor
San Francisco, California 94102-5408
Telephone: (415) 554-3853
Facsimile: (415) 554-3837
E-Mail: renee.rosenblit@sfcityatty.org

Attorneys for Defendants
MILTON BLISS, et al.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCANVINSKI JEROME HYMES,

Plaintiff,

vs.

MILTON BLISS, et al.

Defendants.

Case No. 16-cv-04288 JSC

**DECLARATION OF RENÉE E. ROSENBLIT
RE OFFER OF PROOF**

Trial Date: December 3, 2018

I, Renée E. Rosenblit, declare as follows:

1. I am a Deputy City Attorney in the San Francisco City Attorney's Office and counsel for defendants in this matter. As such, I am familiar with this litigation and make this declaration of my own personal knowledge, and if called upon, could testify competently thereto.

2. Plaintiff filed an administrative motion to seal in relation to his offer of proof. (Dkt. 179.)

3. Plaintiff has filed under seal several pages from the non-confidential portion of the deposition of Deputy Neu. Defendants do not contend that these pages should be sealed.

3. Pursuant to Civil Local Rule 79-5(e)(1) defendants submit the following declaration to establish that the following documents filed by plaintiff are sealable:

4. With respect to **Exhibit 1-5:** CCSF_HYMES_005168, CCSF_HYMES_005166, CCSF_HYMES_005169, CCSF_HYMES_005167 CCSF_HYMES_005169, Defendants maintain that these pages from an internal affairs interview of Deputy Neu are sealable. Defendants designated these pages as “Highly Confidential Attorney’s Eyes Only” because they contain information protected by a privacy right, information protected by the deliberative process privilege, and official information privilege. This highly sensitive, internal document contains confidential information that constitute a personnel file under California Penal Code section 832.7.

5. With respect to **Exhibit 6:** CCSF_HYMES_005185, the photograph of the Right lower leg of Deputy Neu, Defendants maintain that these pages from the internal affairs file regarding Deputy Neu are sealable. Defendants designated these pages as “Highly Confidential Attorney’s Eyes Only” because they contain information that is irrelevant, protected by a privacy right, information protected by the deliberative process privilege, and official information privilege. This highly sensitive, internal document contains confidential information that constitute a personnel file under California Penal Code section 832.7.

6. I have spoken with Mark Nicco, Chief Counsel of the San Francisco Sheriff’s Department. Upon information and belief, the Department maintains confidentiality of the documents identified in Plaintiff’s administrative motion.

7. Plaintiff has also lodged a written offer of proof containing reference to “other acts” evidence. However, all references within the filing to the above-referenced testimony should be sealed, as should all “other acts” evidence, of which Plaintiff has only been made aware as a result of documents Defendants designated as “Highly Confidential Attorney’s Eyes Only.” The documents were so designated because they contain information that is irrelevant, protected by a privacy right, information protected by the deliberative process privilege, and official information privilege. This highly sensitive, internal document contains confidential information that constitute a personnel file under California Penal Code section 832.7.

Executed this 3rd day of December 2018, at San Francisco, California.

/s/ Renee E. Rosenblit
RENÉE E. ROSENBLIT